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January 30, 2018

**VIA ECF**

Honorable Lorna G. Schofield  
United States District Judge  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, New York 10007

RE: *Contant, et al. v. Bank of America Corporation, et al.*, No. 17-cv-3139

Dear Judge Schofield:

Counsel for Plaintiffs (“Plaintiffs”) in the above-captioned action respectfully submit this letter regarding two recently-scheduled depositions in *In re Foreign Exchange Benchmark Rates Antitrust Litigation*, No. 1:13-cv-07789-LGS (“FOREX”).

On January 23, 2018, counsel for Credit Suisse filed a notice in the above-captioned action stating that depositions of two former Credit Suisse employees had been scheduled for February 2, 2018 and March 6, 2018. ECF No. 126. On January 26, Plaintiffs sent a letter to Defendants requesting that they consent to an order (1) permitting Plaintiffs to attend and receive exhibits for those depositions, and, to avoid burdening the Court with a new motion every time a deposition is scheduled in FOREX, (2) permitting Plaintiffs to attend and receive exhibits for all depositions scheduled in FOREX going forward, subject to further order of the Court or application by any party. Defendants stated that they do not oppose Plaintiffs’ request, provided that the same limitations in the Court’s prior orders, ECF Nos. 102 and 111, remain in place. Those orders provided that Plaintiffs may attend and receive copies of exhibits used during the depositions, subject to the protective order in FOREX, but Plaintiffs may not conduct examination in the depositions or receive relevant documents in advance of the depositions. ECF Nos. 102 and 111. Plaintiffs here request the same relief for future FOREX depositions.

Accordingly, Plaintiffs respectfully request that the Court enter an order permitting Plaintiffs, subject to the protective order in FOREX: (1) to attend the February 2, 2018 and March 6, 2018 depositions and to receive copies of the exhibits used during the depositions, but not conduct examination in the depositions or receive relevant documents in advance of the depositions; and (2) to attend all depositions scheduled in FOREX going forward, and to receive copies of the exhibits used during the depositions, but not conduct examination in the depositions

or receive relevant documents in advance of the depositions, subject to further order of the Court or application by any party.

Respectfully submitted,

/s/ Michael Dell'Angelo  
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